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# 3

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/974,749         | 10/09/2001          | Chun-Su Yuan          | ARCD:347US             |

CONFIRMATION NO. 7044

FORMALITIES LETTER



\*OC000000007086732\*

FULBRIGHT & JAWORSKI L.L.P.  
A REGISTERED LIMITED LIABILITY PARTNERSHIP  
SUITE 2400  
600 CONGRESS AVENUE  
AUSTIN, TX 78701

Date Mailed: 11/19/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 370 to complete the basic filing fee for a small entity.*
- Total additional claim fee(s) for this application is \$438.
  - \$270 for 30 total claims over 20.
  - \$168 for 4 independent claims over 3 .
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 873.

*A copy of this notice **MUST** be returned with the reply.*

*Ted*  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY



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# 3  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Chun-Su Yuan

Serial No.: 09/974,749

Filed: October 9, 2001

For: GINSENG BERRY EXTRACTS AND  
PHARMACEUTICAL COMPOSITIONS  
FROM GINSENG BERRY FOR THE  
TREATMENT OF TYPE 2 DIABETES  
AND OBESITY

Group Art Unit: 1614

Examiner: Unknown

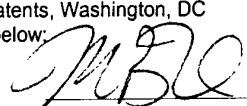
Atty. Dkt. No.: ARCD:347US/MBW

CERTIFICATE OF MAILING  
37 C.F.R. 1.8

I hereby certify that this correspondence is being  
deposited with the U.S. Postal Service with  
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envelope addressed to: Box Missing Parts,  
Commissioner for Patents, Washington, DC  
20231, on the date below:

January 4, 2002

Date

  
Mark B. Wilson

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL  
APPLICATION FILED UNDER 37 C.F.R. 1.53(b)**

**BOX MISSING PARTS**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application Under 37  
C.F.R. § 1.53(b), dated November 19, 2001, there are enclosed herewith:

- (a) Declaration executed on behalf of Chun-Su Yuan;
- (b) A Power of Attorney on behalf of UC Tech;

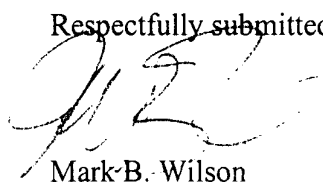
- (c) Our check in the amount of \$873.00 to cover the basic filing fee (\$370.00 - utility small entity); surcharge for late filing (\$65.00); additional claims fee (\$438.00); and
- (d) A copy of Notice to File Missing Parts of Nonprovisional Application Filed Under 37 C.F.R. 1.53(b)-Filing Date Granted.

An Assignment to UC Tech and a check for \$40.00 are being filed under separate cover.

If the check is inadvertently omitted, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, or should an overpayment be included herein, the Commissioner is authorized to deduct or credit said fees from or to Fulbright & Jaworski Deposit Account No.: 50-1212/10108736/MBW.

Please date stamp and return the accompanying postcard to evidence receipt of these documents.

Respectfully submitted,



Mark B. Wilson  
Reg. No. 37,259  
Attorney for Applicant

FULBRIGHT & JAWORSKI L.L.P.  
600 Congress Avenue, Suite 2400  
Austin, Texas 78701  
(512) 474-5201

Date: January 4, 2002

TELEPHONE: 512/474-5201  
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MARK B. WILSON & TRANCHARD  
PARTNER

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January 4, 2002

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| January 4, 2002  |                |
| Date   | Mark B. Wilson |

## BOX MISSING PARTS

Commissioner for Patents  
Washington, DC 20231

RE: *U.S. Patent Application No. 09/974,749 entitled "GINSENG BERRY EXTRACTS AND PHARMACEUTICAL COMPOSITIONS FROM GINSENG BERRY FOR THE TREATMENT OF TYPE 2 DIABETES AND OBESITY" - Chun-Su Yuan (Client reference: UCHI:840)*

Sir:

Please find enclosed:

- (1) A Response to Notice to File Missing Parts of Nonprovisional Application filed under 37 C.F.R. 1.53(b) mailed November 19, 2001;
- (2) Declaration of Chun-Su Yuan;
- (3) Power of Attorney;
- (4) Copy of Notice to File Missing Parts of Nonprovisional Application filed under 37 C.F.R. 1.53(b)-Filing Date Granted;
- (5) Check in the amount of \$873.00; and
- (6) A return postcard to acknowledge receipt of these materials. Please date stamp and mail this postcard.

Commissioner for Patents  
January 4, 2002  
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If the check is inadvertently omitted, or the amount is insufficient, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, or should an overpayment be included herein, the Commissioner is authorized to deduct or credit said fees from or to Fulbright & Jaworski Deposit Account No.: 50-1212/10108736/MBW.

Respectfully submitted,

Mark B. Wilson  
Reg. No. 37,259

MBW/mar

Encl: as noted